

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Vinnia C. Brayboy,)	Civil Action No.: 4:14-cv-2965-RBH
)	
Plaintiff,)	
)	
v.)	ORDER APPOINTING SPECIAL
)	PROCESS SERVER
)	
MST-Maschinenbau, GmbH and)	
MST-Dranbedarf, GmbH,)	
)	
Defendants.)	
)	

In this products liability action, Plaintiff asserts that Defendants are foreign entities organized under the laws of Germany. Plaintiff intends to serve the Defendants in Germany.

Rule 4(h) of the Federal Rules of Civil Procedure (“FRCP”) provides that if a foreign corporation is to be served at a place not within any judicial district of the United States, service may be accomplished “in any manner prescribed by Rule 4(f) for serving an individual, except personal delivery under (f)(2)(C)(i). Fed. R. Civ. P. 4(h)(2). Rule 4(f) provides that service may be accomplished at a place not within any judicial district of the United States “by any internationally agreed means of service that is reasonably calculated to give notice, such as those authorized by the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents.” Fed. R. Civ. P. 4(f)(1). The United States and Germany are both signatories to this convention. *See* Status Table, Hague Conference on Private International Law, http://www.hcch.net/index_en.php?act=conventions.status&cid=17 (last visited July 30, 2014) (listing the countries that have signed or otherwise approved the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents).

Plaintiff seeks the aid of APS International, Ltd to effect service of process on Defendants. Plaintiff has represented to the Court that the German government requires a court order appointing APS International, Ltd, as a special process server for the purpose serving process in Germany.

IT IS THEREFORE ORDERED that APS International, Ltd., including its designated agents, is appointed and authorized to effect service of process on Defendants MST-Maschinenbau, GmbH and MST- Dranbedarf, GmbH in Germany. Service shall be effected according to Rule 4(f) of the FRCP and the Hague Convention.

IT IS SO ORDERED.

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge

Florence, South Carolina
July 30, 2014